

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – March 22, 2012**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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**PRESENT:**

**Chairwoman:** Catherine M. Doyle *(voting on items 1 – 35, 37 - 49)*

**Members:** Henry P. Szymanski *(voting on items 40 - 62)*  
Donald Jackson *(voting on items 1 - 62)*  
Martin E. Kohler *(voting on items 1 – 51, 53 - 62)*  
Jose L. Dominguez *(voting on items 1 - 62)*

**Alt. Board Members:** Leni M. Siker *(voting on items 1 - 62)*

**START TIME:** 2:10 p.m.

**END TIME:** 5:50 p.m.

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<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
1	31222 Special Use	Joel Vargas & Petronilo Razo Property Owner  Request to occupy the premises as a general retail establishment (pet food and supplies).	1801 S. 25th St. A/K/A 1801 S. 25th St. 3 8th Dist.
<b>Action:</b>		Dismissed	
<b>Motion:</b>		Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
<b>Vote:</b>		4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
<b>Conditions of Approval:</b>		--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31429 Use Variance	Aspire Education Child Care, LLC James Harrison;Lessee  Request to occupy the premises as a day care center for 94 children per shift infant to 13 years of age, operating Monday - Saturday 5:00 a.m. - Midnight.	3820 W. Florist Av. A/K/A 3812 W. Florist Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the staff and will be scheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
3	31154 Special Use	Eretta Honey Other  Request to occupy the premises as a transitional living facility for 14 occupants.	5447 N. 91st St. A/K/A 5447 N. 91st St. 2 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	31399 Special Use	3707 N. 92 LLC David W. Redlin;Prospective Buyer  Request to occupy the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 8:00 p.m.	3703 N. 92nd St. A/K/A 3707 N. 92nd St. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	31545 Special Use	Alicia McCoverly Ike's Custom Car Care;Lessee  Request to continue occupying the premises as a motor vehicle sales, repair and car wash facility.	4735 N. 76th St. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	31510 Special Use	Phyllis Weakley Property Owner  Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday.	2906 N. 12th St. A/K/A 2908 N. 12th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
7	31515 Change of Operator	Ramon Evans Prospective Buyer  Request to continue occupying the premises as a 24 hour day care center for 70 children infant to 13 years of age, operating Monday - Sunday.	5810 W. Fond Du Lac Av. 7th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	31614 Special Use	Alfredo Medina Property Owner  Request to continue occupying the premises as a motor vehicle repair facility.	2922 W. Forest Home Av. A/K/A 2920 W. Forest Home Av. B 8th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	31568 Special Use	<p>Bins Garage John Bins;Lessee</p> <p>Request to continue occupying the premises as a motor vehicle sales and repair facility.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</li> <li>6. That all repair work is conducted inside the building.</li> <li>7. That no work or storage of vehicles occurs in the public right of way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	<p>5716 W. Burleigh St. A/K/A 5718 W. Burleigh St. 10th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	31549 Special Use	Gurinder S Nagra Property Owner  Request to continue occupying the premises as a motor vehicle filling station.	5912 W. Oklahoma Av. 11th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	31617 Special Use	David K Gray, Sr. Property Owner  Request to continue occupying the premises as a motor vehicle repair facility.	6800 W. Oklahoma Av. A/K/A 6808 W. Oklahoma Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That no work or storage of vehicles occurs in the public right of way.</li> <li>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	31624 Special Use	William J Bartholomew Lessee  Request to continue occupying the premises as a second-hand sales facility.	5001 W. Howard Av. A/K/A 5021 W. Howard Av. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</p> <p>6. That the requirements of the special privilege granted under Common Council Resolution File Number 060549 are met.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
13	31566 Special Use	Mohd Atshan Lessee  Request to continue occupying the premises as a general retail establishment.	1239 S. 12th St. A/K/A 1235 S. 12th St. 12th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	



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14	31605 Special Use	Milwaukee Area Technical College James Williams CPA, Ed.D;Property Owner  Request to occupy the premises as a college (instructional labs for MATC).	816 W. National Av. A/K/A 816 W. National Av. 14 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	31625 Special Use	Jorge Quiroz Property Owner	1747 S. 9th St. 12th Dist.
		Request to occupy the premises as a day care center for 300 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (summer day care only, operating mid-June - August).	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	31601 Special Use	Aftab Sultan Lessee  Request to occupy the premises as a motor vehicle filling station.	2624 W. Lisbon Av. A/K/A 2642 W. Lisbon Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>9. That the petitioner provide and maintain landscaping and screening in a manner that meets the intent of city code. Specifically that landscaping is implemented and maintained along the W. Lisbon Ave &amp; N. 27th St frontages.</p> <p>10. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	31591 Special Use	<p>Boss Man Car Wash Curtis Nealy;Lessee</p> <p>Request to continue occupying the premises as a motor vehicle repair and car wash facility.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening is maintained according to the landscape plan approved on May 1, 1998.</li> <li>7. That all work is conducted inside the building</li> <li>8. That all car wash activity is conducted inside of the building.</li> <li>9. That all wastewater is contained on site.</li> <li>10. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>11. That no work or storage of vehicles occurs in the public right of way.</li> <li>12. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>14. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	<p>4325 N. Green Bay Av. 1st Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	31621 Special Use	LaQuetta D Clipps Lessee  Request to increase the ages of the children from infant - 12 years of age to infant - 13 years of age and the hours of operation from 7:00 a.m. - 12:30 a.m. to 5:00 a.m. - 12:30 a.m. and to continue occupying the premises as a day care center for 99 children per shift, operating Sunday - Saturday.	2809 W. Atkinson Av. A/K/A 2819 W. Atkinson Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	31607 Special Use	Milwaukee-Prospect, LLC Anthony Augustine;Property Owner  Request to continue occupying the premises as an indoor storage facility.	2122 N. Prospect Av. A/K/A 2124 N. Prospect Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
20	31613 Special Use	The Guest House of Milwaukee, Inc. Cindy Krahenbuhl, Executive Director;Property Owner  Request to continue occupying the premises as a transitional living facility for 4 occupants.	1214 N. 13th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	31616 Special Use	Willie Lewis Property Owner	1428 N. 27th St. 4th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	31619 Special Use	Marquette University High School Warren Sazama, President;Property Owner	3427 W. Michigan St. A/K/A 3418 W. Clybourn St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	31495 Special Use	Muhammad Khan Lessee  Request to continue occupying the premises as a motor vehicle filling station.  Action: Granted 10 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. Any additional signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</li> <li>8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</li> <li>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	8210 W. Capitol Dr. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	31589 Special Use/ Use Variance	Lori A Bauman Property Owner  Request to continue occupying the premises as a specialty school and a cultural institution (offering art studios, exhibition space, classrooms and a library).	1422 N. 4th St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</p> <p>5. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	31609 Special Use	Candace Simpson Property Owner  Request to increase the number of children from 50 to 75 per shift and to continue occupying the premises as a day care center for children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	2816 N. Teutonia Av. A/K/A 2818 N. Teutonia Av. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>7. That the applicant maintain a loading zone on Teutonia Avenue.</li> <li>8. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

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26	31615 Dimensional Variance	Conway Midwest, LLC Abe M. Cohen; Lessee  Request to erect a sign that exceeds the maximum allowed area (allowed 100 sq.ft. / proposed 169 sq.ft.).	709 E. Capitol Dr. A/K/A 705 E. Capitol Dr. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of time commencing with the date hereof, and expiring on July 23, 2017.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	31622 Special Use	Genesis Behavioral Health, Inc. Pauline Ortloff, Executive Director; Lessee	3232 N. 7th St. A/K/A 3234 N. 7th St. 6th Dist.
		Request to continue occupying the premises as a transitional living facility for 4 occupants.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	31630 Special Use	Danielle Jones Lessee  Request to continue occupying the premises as a day care center for 45 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (this is a new operator).	3414 N. Port Washington Av. A/K/A 3418 N. Port Washington Av. 4 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</li> <li>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>8. That a loading zone be obtained and maintained on Port Washington Avenue.</li> <li>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>10. That the facility does not exceed a capacity of 45 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 45 children.</li> <li>11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 2, 2016.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	31485 Special Use	Lincoln's Dream Michael Garland;Property Owner  Request to continue occupying the premises as a motor vehicle sales and repair facility.	2711 W. Townsend St. A/K/A 2715 W. Townsend St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	31582 Special Use	Shantrel Palmer Property Owner	4127 W. Nash St. 7th Dist.
		Request to continue occupying the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</p> <p>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	31636 Special Use	Shantrel Palmer Lessee  Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m. to Monday - Saturday 6:00 a.m. - midnight and to continue occupying the premises as a day care center for 100 children per shift infant to 12 years of age (this is a new operator).	3812 W. Burleigh St. A/K/A 3814 W. Burleigh St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	31373 Special Use	Abdul Haq Property Owner  Request to continue occupying the premises as a motor vehicle filling station.	2341 S. Chase Av. A/K/A 2341 S. Chase . 14th Dist.
	Action:	Granted 1 year	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That fencing and landscaping is maintained in accordance with the approved plan.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision.</li> <li>9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>12. That the applicant control the litter emanating from the site on a daily basis (every hour) for a distance of 300 feet along the site and the public streets.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		<p>13. That the applicant maintain a liaison with the Milwaukee Police Department and the Alderman's office to effectively control noise, litter, traffic issues and crime.</p> <p>14. That additional staff be available during the busiest times and during extended hours of operation.</p> <p>15. That all pay phones be removed from the property.</p> <p>16. That the applicant work with the Department of Public Works to address any issues related to traffic.</p> <p>17. That loitering on the property and in the delivery areas be discouraged.</p> <p>18. That all exterior clean-up and maintenance activities (other than litter control) do not take place before 7 a.m and after 9 p.m.</p> <p>19. That the applicant adhere to all other conditions outlined on the Mitigation Management Plan dated March 16, 2012.</p> <p>20. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
33	31295 Use Variance	<p>Joe Berrada Property Owner</p> <p>Request to occupy the premises as an animal boarding facility.</p>	<p>2070 N. Riverboat Rd. A/K/A 2072 N. Commerce St. 6th Dist.</p>
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the request. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	31326 Special Use	Salvador Sanchez Property Owner	2606 W. Greenfield Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 2 yrs.	
	Motion:	Jose Dominguez moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping is maintained in a manner that meets the intent of city code.</li> <li>7. That there be no vehicles displayed for sale in the public right of way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>10. That the applicant have not more than 14 vehicles for sale at one time.</li> <li>11. That any unused driveways are removed and restored to City of Milwaukee specifications.</li> <li>12. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
35	31620 Special Use	Journey House Inc. Michael Bria, CEO;Lessee  Request to occupy a portion of the premises as a community center.	1021 S. 21st St. A/K/A 2110 W. Scott St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
36	31623 Special Use	The Gathering of SE WI, Inc. Virginia R. Schrag, Executive Director;Lessee  Request to occupy a portion of the premises as a social service facility.	724 S. Layton Bl. A/K/A 732 S. Layton Bl. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	31353 Special Use	Hadley Child Care and Learning Center II LaQuanda Gray;Property Owner  Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 11:00 p.m. (this is a new operator).	5520 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
38	31405 Special Use	Bishop David Hemphill Lessee  Request to occupy the premises as a religious assembly hall.	5430 W. Lisbon Av. A/K/A 5424 W. Lisbon Av. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  4. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.  6. That the existing window along the W. Lisbon Ave frontage remain as transparent vision glass and is maintained in an attractive manner.  7. That efforts are made to restore any other windows along the W. Lisbon Ave frontage that may now be covered.  8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	31632 Special Use	<p>Tapat Properties, LLC Thomas Nowak;Property Owner</p> <p>Request to occupy the premises as a transitional living facility for 8 occupants.</p>	<p>3203 S. 99th St. A/K/A 3203 S. 99th St. 1 11th Dist.</p>
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
40	31455 Use Variance	<p>Hopwood Masonry Lessee</p> <p>Request to occupy the premises as a contractor's yard.</p>	<p>1663 S. Muskego Av. 12th Dist.</p>
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	31563 Special Use	Carrie Gurda and Richard Gurda Lessee  Request to occupy a portion of the premises as a second-hand sales facility.	803 W. Historic Mitchell St. A/K/A 1709 S. 8th St. 3 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	
42	31501 Special Use	Nargis Anis Property Owner  Request to continue occupying the premises as a motor vehicle filling station.	4709 S. Howell Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	31389 Special Use	Albert L. Chapelle Jr. Lessee  Request to occupy the premises as a motor vehicle repair facility and car wash.	3807 W. Vliet St. A/K/A 3813 W. Vliet St. 15th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	31499 Special Use	Michael O Jewett Lessee	4733 W. North Av. 15th Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. This may require a reduction in size of the proposed sign.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for A-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That the shared parking agreement submitted January 25, 2012 be maintained.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	31546 Dimensional Variance	Clear Channel Outdoor Mark Rausch;Property Owner  Request to erect a sign that exceeds the maximum allowed display area (allowed 300 sq.ft. / proposed 672 sq.ft.), the maximum allowed height (allowed 35 ft. / proposed 56 ft.) and the minimum required street setbacks.	800 W. Center St. A/K/A 2707 N. 8th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
46	31382 Use Variance	Murece Johnson Property Owner  Request to occupy the premises as a transitional living facility for 5 occupants.	4230 N. 26th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.  5. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.  6. That this Variance is granted for a period of two (2) years, commencing with the date hereof.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
47	31459 Use Variance/ Special Use	Larry Shaw Property Owner  Request to add a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m and to continue occupying the premises as a religious assembly hall.	4030 N. 34th St. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</li> <li>7. That the applicant obtain a loading zone.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>10. That this Special Use and this Variance are granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	31481 Use Variance	<p>Laura Rockingham MaMa Rockingham Moving &amp; Delivery, Inc.;Property Owner</p> <p>Request to occupy the premises as an outdoor storage facility (parking a commercial vehicle and trailers for moving &amp; delivery business).</p> <p>Action: Denied</p> <p>Motion: Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval: --</p>	<p>4120 W. Kiehnau Av. A/K/A 4116 W. Kiehnau Av. 1st Dist.</p>
49	31571 Use Variance	<p>Daughters of the Father Christian Academy The Power of God FGBC; Doris Pinkney;Lessee</p> <p>Request to add a religious assembly hall and amend the plan of operation for the existing school to expand the hours of operation.</p> <p>Action: Adjourned</p> <p>Motion: Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval: --</p>	<p>3712 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	31600 Special Use	Athea Laboratories & Packaging Steve Hipp;Property Owner	1900 W. Cornell St. 1st Dist.
		Request to occupy the premises as a hazardous material storage facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for H-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
51	31626 Dimensional Variance	Robert Pyles Property Owner	5193 N. Teutonia Av. A/K/A 5191 N. Teutonia Av. 1st Dist.
		Request to erect an addition to the existing freestanding sign that exceeds the maximum allowed area (allowed 32 sq.ft. / proposed 215.5 sq.ft.).	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	31627 Special Use	Repairers of the Breach James Carter;Lessee  Request to occupy a portion of the premises as a religious assembly hall.	5268 N. 35th St. A/K/A 5266 N. 35th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	31638 Special Use	Brothers Tires, LLC Lessee	4900 N. Hopkins St. 1st Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside the building.</li> <li>6. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on February 25, 2002.</li> <li>7. That no work or storage of vehicles occurs in the public right of way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>10. That any unused driveways are removed and restored to City of Milwaukee specifications.</li> <li>11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	31457 Special Use	<p>Quintin Coby d/b/a Capitol Car Wash; Lessee</p> <p>Request to continue occupying the premises as a car wash (this is a new operator).</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 H. Szymanski Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That all car wash activity is conducted inside of the building.</li> <li>6. That all wastewater is contained on site.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That landscaping in accordance with the landscape plan submitted to the Board on April 21, 2011 is implemented within 120 days of occupancy and is maintained in a manner that meets the intent of city code.</li> <li>9. That no work or storage of vehicles occurs in the public right of way/in front of the building</li> <li>10. That the alley can not be used for entering or exiting of cars.</li> <li>11. The applicant does not have outdoor storage or display of products or merchandise.</li> <li>12. The applicant removes all signs and banners installed without permits or obtains permits and installs signage according to the conditional of approval on a sign permit.</li> <li>13. The petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for motor vehicle occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>14. That this Special Use is granted for a period of three (3) years,</li> </ol>	<p>6419 W. Capitol Dr. A/K/A 6423 W. Capitol Dr. 2nd Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
		commencing with the date hereof.	
55	31585 Special Use	Warren Street Partners, LLC c/o Monroe Investment Partners, LLC;Property Owner	1724 N. Warren Av. 3rd Dist.
		Request to raze the existing structures and to occupy the premises as a parking lot.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
56	31628 Special Use	Wright Street Resource Center Milwaukee Area Time Exchange;Lessee	901 E. Wright St. A/K/A 903 E. Wright St. 3 3rd Dist.
		Request to occupy the premises as a community center.	
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	31610 Special Use	Bronte Butts OneSeven Group, LLC;Lessee  Request to occupy a portion of the premises as a social service facility.	1702 W. State St. A/K/A 1013 N. 17th St. 4th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the southern most parking space in the parking lot is eliminated.</li> <li>6. That any unused driveways are removed and restored to City of Milwaukee specifications.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	31583 Special Use	Jerry Ball & Charles Winters Lessee  Request to add a motor vehicle repair facility to the Board approved car wash.	102 W. North Av. A/K/A 100 W. North Av. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work and car wash activity is conducted inside of the building.</li> <li>5. That all wastewater is contained on site.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on April 21, 2011.</li> <li>9. That no work or storage of vehicles occurs in the public right of way.</li> <li>10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 14, 2014.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	31584 Special Use	Anthony L Jones Property Owner	2053 W. Hopkins St. 6th Dist.
		Request to add a motor vehicle repair facility (sales and installation of new and used tires) to the Board approved car wash.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on February 13, 2012</li> <li>6. That all repair work is conducted inside the building.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That no work or storage of vehicles occurs in the public right of way.</li> <li>9. That the unused driveway on North 21st Street be removed and restored to City of Milwaukee specifications.</li> <li>10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for automotive repair occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>14. That the hours of operation for the facility be 8:00 a.m. - 5:00 p.m. Monday - Saturday.</li> <li>15. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	31602 Use Variance	Marvin Jones II Lessee  Request to occupy the premises as a day care center for 10 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 11:00 p.m.	2661 N. Martin L King Jr Dr. A/K/A 2661 N. 3rd St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</li> <li>7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the school that identifies the intended use and capacity of each room.</li> <li>10. That the facility does not exceed a capacity of 10 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 10 children.</li> <li>11. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	31372 Special Use	C & D Recycling of Wisconsin, LLC Lessee  Request to occupy a portion of the premises as a material reclamation facility with outdoor storage.	3282 N. 35th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
62	31035 Special Use	Mohammed Mazharuddin & Diljeet S. Khahra Lessee  Request to continue occupying the premises as a motor vehicle filling station.	3105 N. Holton St. A/K/A 426 E. Burleigh St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

**Other Business:**

Board member Donald Jackson moved to approve the minutes of the February 23, 2012 meeting. Seconded by Board member Martin Kohler. Unanimously approved.

The Board set the next meeting for April 19, 2012.

Board member Martin Kohler moved to adjourn the meeting at 5:50 p.m.. Seconded by Board member Jose Dominguez Jr. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board